

JAN 22 2001

**FEDERAL ELECTION COMMISSION**  
999 E Street, N.W.  
Washington, D.C. 20463

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD REFERRAL: 00NF-14  
DATE ACTIVATED: 12/13/00

EXPIRATION OF STATUTE OF  
LIMITATIONS: 4/15/05  
STAFF MEMBER: Tony Buckley  
Clinett Short

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Local Union Drive No. 25 and  
George W. Cashman, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i)  
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: Disclosure Reports  
Referral Materials

FEDERAL AGENCIES CHECKED: None

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
2001 JAN 23 PM 2:38

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division on September 14, 2000. The basis of the referral is the failure of Local Union Drive No. 25 and George W. Cashman, as treasurer ("Respondents"), to timely file their 2000 April Quarterly Report covering the period of January 1, 2000 through March 31, 2000.

## II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

## III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

In addition to recommending that the Commission find reason to believe Respondents violated 2 U.S.C. § 434(a)(4)(A)(i), this Office also recommends that the Commission offer to enter into conciliation with Respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement. Attachment 2.

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Local Union Drive No. 25 and George W. Cashman, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lois G. Lerner  
Acting General Counsel

1/22/01  
Date

BY: Abigail C. Shaine  
Abigail Shaine  
Acting Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Agreement



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**MEMORANDUM**

**TO:** Office of the Commission Secretary

**FROM:** Office of General Counsel **KCS**

**DATE:** January 23, 2001

**SUBJECT:** 00NF-14-First General Counsel Report

The attached is submitted as an Agenda document for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

**CIRCULATIONS**

**SENSITIVE** ☒  
**NON-SENSITIVE** ☐

72 Hour TALLY VOTE ☒  
24 Hour TALLY VOTE ☐  
24 Hour NO OBJECTION ☐  
INFORMATION ☐  
96 Hour TALLY VOTE ☐

**DISTRIBUTION**

**COMPLIANCE** ☒  
Open/Closed Letters ☐  
MUR ☐  
DSP ☐  
**STATUS SHEETS** ☐  
Enforcement ☐  
Litigation ☐  
PFESP ☐  
**RATING SHEETS** ☐  
**AUDIT MATTERS** ☐  
**LITIGATION** ☐  
**ADVISORY OPINIONS** ☐  
**REGULATIONS** ☐  
**OTHER** ☐

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